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FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

1978 NOV 15 PM 2 34

BALLY MANUFACTURING CORPORATION,

Plaintiff,

v.

D. GOTTLIEB & CO. and
WILLIAMS ELECTRONICS, INC.,

Defendants.

CLERK, U.S. DISTRICT COURT

CIVIL ACTION NO. 78 C 2246

NOTICE OF TAKING DEPOSITION

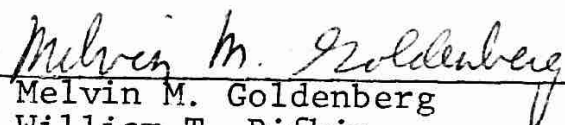
TO: Donald L. Welsh
A. Sidney Katz
Fitch, Even, Tabin & Luedeka
135 S. LaSalle Street
Chicago, Illinois 60603

*Leroy W. Mitchell
Leydig, Voit, Osann, Mayer
& Holt, Ltd.
815 North Church Street
Rockford, Illinois 61103

PLEASE TAKE NOTICE that at 10:00 A.M. on the 28th day of November, 1978, at the offices of McDougall, Hersh & Scott, 135 S. LaSalle Street, Chicago, Illinois, the defendant, Williams Electronics, Inc., will take the deposition of plaintiff, Bally Manufacturing Corporation, pursuant to Rule 30(b)(6), F.R.Civ.P. The subject matter on which examination is requested is set forth in Attachment A hereto. With respect to each matter listed in Attachment A, plaintiff is requested to designate one or more

officers, directors, managing agents, or other persons who consent to testify on its behalf, having knowledge as to such matter to the extent known or reasonably available to plaintiff. Plaintiff is requested to make this designation to defendant, and to produce the witnesses at the time and place set forth above.

The deposition will be taken upon oral examination before a notary public, or before some other officer authorized by law to administer oaths. The oral examination will continue from day to day until completed. You are invited to attend and cross-examine.


Melvin M. Goldenberg
William T. Rifkin
McDougall, Hersh & Scott
135 S. LaSalle Street
Chicago, Illinois 60603
(312) 346-0338
Firm ID No. 323

Attorneys for Defendant
Williams Electronics, Inc.

November 9, 1978

ATTACHMENT A

Examination of plaintiff, Bally Manufacturing Corporation, is requested on the following matters:

1. The construction and operation, both mechanical and electrical, and the drawings relating to the games "Bally Alley" and "Bally Lane" (hereafter "the games") including, without limitation, conception, electrical circuit design, construction of preliminary circuits and prototype games.

2. The marketing of the games including, without limitation: advertising; sales literature; dates of (a) first sale, (b) demonstrations to Bally personnel, (c) demonstrations to personnel outside of Bally.

3. The preparation of service or technical manuals for the games.

4. The supervision of the matters referred to in the preceding three matters.

5. The dissemination of information to the trade or press about "pinball" or "flipper machines" employing electronics, computers, processors or other solid state devices.

6. The decision to cite the Bally Alley service manual to the U.S. Patent and Trademark Office in the patent application which resulted in the patent in suit.

CERTIFICATE OF SERVICE

This will certify that one copy of the following NOTICE OF TAKING DEPOSITION was served on plaintiff's attorneys, Donald L. Welsh, Esq. and A. Sidney Katz, Esq., Fitch, Even, Tabin & Luedeka, 135 S. LaSalle Street, Chicago, Illinois 60603 by hand delivery, and defendant D. Gottlieb & Co.'s attorneys, Leroy W. Mitchell, Esq., Leydig, Voit, Osann, Mayer & Holt, Ltd., 815 North Church Street, Rockford, Illinois 61103 by first class mail, postage prepaid, all this 9th day of November, 1978.

Melvin M. Goldenberg
One of Defendant's Attorneys